

Claims 18-20 were rejected under 35 U.S.C. 102 as being anticipated by Fukuda '066. Rejection of a claim under 35 U.S.C. 102 is justified only when each of the inventive elements in that claim is disclosed in one reference. Fukuda '066 does not disclose every inventive element in independent claim 18, and hence it is believed that the Examiner's rejection of claim 18 and the claims dependent therefrom is not justified and hence should be reversed.

Firstly, Fukuda '066 does no disclose any air-pressure generating means for generating from a single air source having an initial air pressure both a specified higher air pressure for moving the heater unit and a specified lower air pressure for controlling the compressive force. Secondly, Fukuda '066 does not disclose any switching means for selectively switching between supplying to the air cylinder the higher pressure to thereby move the heater unit with respect to the film and supplying to the air cylinder the lower pressure to thereby control the compressive force. The Examiner's analysis in Paragraph 3 of the Official Letter seems to indicate that the Examiner is not correctly interpreting Fukuda '066. Although Fukuda '066 shows an air cylinder 5 being switched on and off in Figs. 2, 4 and 5, the vertical lines in these figures marked STOP and RE-START do not indicate points in time where the applied pressure takes a specified higher or lower value. The cylinder 5 is switched on and off only for the purpose of moving the heater unit towards or away from the former. No higher or lower pressure is specified in Fukuda '066. In particular, Fukuda '066 does not disclose any control of the compressive force by applying a lower pressure air to the air cylinder 5.

Claims 6-17 and 21-23 were rejected under 35 U.S.C. 103 over Fukuda '217 in view of Simionato and further in view of Kreager. The Examiner's argument was that it would be obvious to replace the air cylinder 78 of Fukuda '217 with the stacked cylinder disclosed by Simionato and that Kreager discloses a pressure regulator 92 and air activation valves 96 to operate cylinders 80 and 88 and to switch between high and low pressures. A person skilled in the art may consider replacing the air cylinder 78 of Fukuda '217 with that of Simionato in order to adjust the stroke of the cylinders when a former with a different diameter is used such that the heater will contact the

bag material for the sealing under a constant feeding pressure, but there is no disclosure in Simionato on changing air pressure for the purpose of moving the heater or controlling the compressive force. Kreager applies a higher pressure to form corrugation and to carry out a cold seal process without application of heat, but does not disclose the concept of using a specified higher pressure to move the heater and a specified lower pressure to control the compressive force. In other words, it is not believed that even a skilled person in the art would find it obvious on the basis of these three references, even if considered in combination but without any suggestion of the inventive concepts detailed in the language of claim 6 herein, to provide a switching means as narrowly limited therein.

It is therefore believed that the application is allowable in spite of the cited references.

Respectfully submitted,



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